

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TERADATA CORPORATION, TERADATA  
US, INC., and TERADATA OPERATIONS,  
INC.

## Plaintiffs.

V.

SAP SE, SAP AMERICA, INC., and SAP LABS, LLC.

## Defendants.

MISC NO. 20-2-mc-0074 RSM

PLAINTIFFS' UNOPPOSED MOTION TO  
REMOVE DECLARATION OF DAVID D.  
CROSS FROM RECORD AND NOTICE OF  
WITHDRAWAL OF MOTION TO COMPEL  
DISCOVERY FROM MICROSOFT

Noted for Hearing: September 17, 2020

Plaintiffs respectfully move this Court to withdraw and remove the Declaration of David D. Cross filed as Docket 1-1 on August 27, 2020, from the record in the above-captioned matter. The declaration inadvertently included an exhibit with information from SAP SE, SAP America, Inc., and SAP Labs, LLC (collectively, “SAP”) that was designated confidential pursuant to a protective order entered in the underlying litigation between Teradata and SAP and that precludes its public filing.

Counsel for Plaintiffs conferred with counsel for Microsoft about this motion to withdraw and remove the Declaration of David D. Cross, and Microsoft does not oppose the relief sought.

Plaintiffs further provide notice pursuant to LCR 7(l) that they withdraw the pending Motion to Compel Discovery from Microsoft (Dkt. #1) without prejudice to re-file.

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FROM MICROSOFT- 1  
CASE NO. 20-2-cv-0074 RSM

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1 DATED this 17<sup>th</sup> day of September 2020.

2 Respectfully submitted,

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8 *Attorneys for Plaintiffs*

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PLAINTIFFS' MOTION TO REMOVE DECLARATION OF  
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